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**Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, DC 20554**

FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF SECRETARY

In the Matter of)

Access Charge Reform)
Price Cap Performance Review)
for Local Exchange Carriers)

CC Docket No. 96-262

CC Docket No. 94-1

Transport Rate Structure)
and Pricing)

CC Docket No. 91-213

Usage of the Public Switched)
Network by Information Service)
and Internet Access Providers)

CC Docket No. 96-263

**REQUEST FOR EXTENSION OF TIME TO FILE NOTICE OF INQUIRY
COMMENTS AND REPLY COMMENTS**

Media Access Project ("MAP") and the Center for Democracy and Technology ("CDT") on behalf of a nascent coalition of organizations representing the interests of the public, including present and future users of the Internet and similar packet-switched data networks, and which will include, at a minimum, MAP, CDT, the Benton Foundation, Electronic Frontier Foundation, and Voters Telecommunications Watch ("Commenters"), respectfully request that the Commission grant an extension of two (2) months for submission of comments and reply comments in response to its *Notice of Inquiry* ("NOI") in the above proceeding. Should the Commission grant this request for extension, comments would be due on April 21, 1997 and reply comments on May 24, 1997.

MAP and CDT submit that there is good cause for grant of this request.

First and foremost, as the Commission is well aware, the questions presented in this proceeding are very broad and highly complex, both technologically and economically, and raise many matters of first impression. But the outcome of this inquiry will have dramatic impact on

both the Internet and the public switched telephone network, and - with the Internet increasingly being used to communicate; to participate in civic activities; and to access vast repositories of information, opinions, and government resources - there will be significant repercussions on democracy as a whole. Public sector organizations, whose members have interests closely linked to the outcome of this proceeding, must be informed of these issues and their implications. Their participation will be essential to achieving a just conclusion, although many are currently infrequent commenters on such matters. MAP and CDT need more time to work with these groups, to gather information, and to consult with technical experts and economists.

Moreover, one of the organizations representing the Commenters, MAP, is currently participating in a large number of proceedings of similar import and complexity, which will detract from its ability to provide complete comments within the currently established deadline. There are *four proceedings* with deadlines *less than a week apart*, for which MAP will be filing extensive comments:

- *Second Further Notice of Proposed Rulemaking* in MM Dockets No. 91-221, 87-7 (released November 7, 1996) (deadline February 7, 1997);
- *Notice of Proposed Rulemaking* in MM Dockets No. 96-222, 91-221, 87-8 (released November 7, 1996)(deadline February 7, 1997);
- *Further Notice of Proposed Rulemaking* in MM Dockets No. 94-150, 92-51, 87-154 (released November 7, 1996)(deadline February 7, 1997); and
- *Public Notice* No. DA 96-2159 in General Docket No. 83-484 (released December 19, 1996)(deadline February 10, 1997).

Full participation of both MAP and CDT in the *NOI* is especially important, since they will bring the perspectives of groups representing substantial segments of the general public, groups which would otherwise be unrepresented.

Finally, the questions asked in the *NOI* are closely interrelated to the Commission's broader proceeding to reform access charges. See *NPRM* in the above-captioned proceeding. It will be difficult to comment meaningfully about whether to include Internet service providers in the access charges regime without any idea of what those rules are. (To that end, the Commission may find it desirable to stay the *NOI* proceeding until it has reached a final outcome in the broader access charge *NPRM*. Commenters would support this decision.) But with the current deadline for *NOI* comments established as little more than a week after the deadline for reply comments on the broader *NPRM*, it will scarcely be possible to even know what the *NPRM* comments contain. The requested extension would give all commenters a better opportunity to examine the evidence presented pursuant to the *NPRM*, and to analyze the implications of that evidence on the questions presented in the *NOI*.

On a similar note, the Commission will be holding a day-long open forum on access to bandwidth on January 23. It would benefit all parties to be able to retrieve and disseminate the information presented at that hearing. It will be difficult to do this, however, because the hearing is less than a month before the deadline for comments to the *NOI*.


No party will be prejudiced by grant of the requested extension. Furthermore, the brief extension requested will not impede the ongoing implementation of the Telecommunications Act of 1996 ("Act"). While the Act establishes deadlines for implementation of many of its provisions, the questions raised in the *NOI* were not contemplated by the Act and thus are under no such constraints.


As mentioned above, grant of the extension will enable more full, informed participation by all parties, and will assist the Commission in the creation of a more complete and accurate

record on the questions raised in the *NOI* and the effect of the questions raised in the broader *NPRM*. Because of the gravity of these questions - affecting the health of the Internet, its acceptance by a widespread audience, and, most importantly, its role as an arena for democratic discourse and a source of information and opinion - the benefits of granting this request outweigh any detriments.

Wherefore, MAP and CDT request that the Commission grant an extension of two months to permit submission of comments no later than April 21, 1997, and reply comments no later than May 26, 1997, and that it grant any other relief as may be just and proper.

Respectfully submitted,


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